

	<b>Policy and Procedures</b>		<b>Chapter (1 -2)</b>
	<b>Subject:</b> <b>Law Enforcement Role and Authority</b>		
	<b>Issuing Authority:</b> <b>Robert Bongiorno</b> <b>Chief of Police</b>	<b>Effective Date:</b>  <b>March 10, 2015</b>	
	<b>Signature:</b>  <b>On File</b>		

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## **Purpose**

The intent of this Directive is to provide basic information relative to the role and authority of the Bedford Police Department. Police officers will receive instruction that concerns their specific position dilemmas, temptations, responsibilities, and duties, so that officers are made aware of the actions and attitudes expected of them and can therefore act without hesitation in consonance with the Department's values and policies. This directive will also serve as a general standard by which the members of the public can measure the performance of the Bedford Police Department.

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**Policy**

There is a basic responsibility of each Department employee for the satisfactory performance of assigned work and for conformance to the Police Department's Rules and Regulations. These responsibilities are clearly defined and limited in the Rules and Regulations and Policies and Procedures of the Department, as well as any verbal or written orders and instructions given by each employee's supervisor(s) or the Chief.

Commensurate with these responsibilities, all employees are given the authority to make the decisions and use available resources that are necessary for the successful completion of their assigned duties.<sup>1</sup>

In the acceptance of this delegated authority, each employee also accepts the accompanying accountability for his/her actions (or lack of actions) and obligations.<sup>2</sup>

Employees that are confronted by exceptional situations for which there are no guidelines or policies are expected to consult with their immediate supervisor, on whom the ultimate accountability falls. In the event that this consultation is impossible, it is expected that each employee will exercise his/her best judgment in taking the necessary action, while keeping in mind the goals and philosophies of the Department.

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**Code of Conduct<sup>3</sup>**

All department employees shall adhere to a code of conduct and appearance guidelines adopted by this agency and published in the department rules and regulations.

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<sup>1</sup> 11.3.1 (a)

<sup>2</sup> 11.3.1 (b)

<sup>3</sup> 26.1.1 + Rules and Regulations

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**Oath of Office<sup>4</sup>** All police personnel are required to take an oath of office prior to assuming sworn status, to abide by that oath of office, to enforce the law and uphold the nation's constitution and basic law of the land and, where applicable, the governmental subdivisions.

**Oath of Office**

I, (Your name), do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a Bedford Police Officer in accordance with the bylaws of the Town and the laws of the Commonwealth.

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- Procedure**
1. On the first working day (Monday – Friday) after Recruit Academy Graduation, the Patrol Division Lieutenant should notify the Town Clerk of new recruit's name and request a time for the oath;
  2. Recruit should report to the Town Clerk's office at the appropriate time and swear to the Oath of Office;
  3. Have the Town Clerk sign the Oath of Office;
  4. Town Clerk files one copy at Town Hall;
  5. Return a copy of the signed Oath of Office to the Patrol Division Lieutenant for placement in personnel file.
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<sup>4</sup> 1.1.1

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**Sworn Officers  
Code of Ethics<sup>5</sup>** All police sworn personnel are required to follow and abide by the Code of Ethics published by “The International Association of Chiefs of Police.”

### **IACP Code of Ethics**

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement.

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<sup>5</sup> 1.1.2 + non-sworn ethics and training on next page

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**Non Sworn  
Civilian Code  
of Ethics<sup>6</sup>**

All non sworn civilian personnel are required to follow and abide by the following Code of Ethics.

I will keep my private life exemplary as an example to all; develop self-restraint and be constantly mindful of the welfare of others. Honest in thought and deed in personal and official life, I will be exemplary in obeying the laws of the land and the regulations of the department. Whatever I see or hear of a confidential nature or that is confided in me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions, and I dedicate myself to our department's vision, mission and values.

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**Ethics  
Training<sup>7</sup>**

Every 2 years the department shall train all personnel, sworn and non-sworn, in ethics.

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**Organizational  
Background**

The Bedford Police Department is structured into a series of organizational components that represent functional groupings of employees performing like activities. The organizational structure of the Bedford Police Department provides management with a means for assigning responsibility for performance of a group of functions to a single Supervisor or Manager, as well as letting employees know to whom they are accountable.

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**Authority to  
Carry / Use  
Weapons<sup>8</sup>**

Police Officers of the Bedford Police Department derive their authority to carry and use weapons from M.G.L. Chapter 41, Section 98 entitled "Powers and Duties."

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<sup>6</sup> 1.1.2 + sworn officer ethics and training

<sup>7</sup> 1.1.2 + code of ethics sworn and non-sworn civilian

<sup>8</sup> 1.2.2

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**Legal  
Authority<sup>9</sup>**

Police Officers of the Bedford Police Department derive their authority in accordance with Massachusetts General Laws Chapter 41, Section 97 as accepted by Annual Town Meeting on March 10, 1924.

The Bedford Police Department is comprised of the following two (2) categories of sworn agency personnel.

- **Chief of Police:** The Chief of Police is appointed by the Town Manager. The Chief of Police derives his/her sworn authority from MGL Chapter 41 Section 97. The Chief is the final Department authority in all matters of policy, operations and discipline. He/she exercises all lawful powers of that office and issues such lawful orders as necessary to assure the effective performance of the Department.
- **Full Time Bedford Police Officers:** All Bedford Police Officers shall have, within the territorial limits of the municipality the powers and duties conferred or imposed upon Police Officers by MGL, Chapter 41, Section 98.

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**Legally  
Mandated  
Authority and  
Responsibility<sup>10</sup>**

Having all the powers conferred or imposed upon Police Officers in Massachusetts Towns through M.G.L. Chapter 41, Section 98 and from any other Massachusetts General Law, U.S Federal Law, Case Law, Common Law, or Bedford By-Law, all sworn Police Officers of the Bedford Police Department are responsible for the following:

- The protection of life and property;
  - Enforcing all applicable Town of Bedford By-Laws and Ordinances;
  - Enforcing all Massachusetts Laws;
  - Upholding the United States Constitution;
  - Upholding the Massachusetts Constitution;
  - The prevention and detection of crime;
  - The arrest, detention and prosecution of violators of the law;
  - The recovery of stolen property;
  - The preservation of peace and public order;
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<sup>9</sup> 1.2.1 + Legally Mandated

<sup>10</sup> 1.2.1 + Legal Authority

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**Organization** The ranks of the Bedford Police Department reflect the para-military nature of the organization. The executive head of the Department is the Chief of Police. A Table of Organization spells out the organizational structure of the Bedford Police Department. The Police Department shall update the table of organization at least once a year to reflect any organizational changes. It will be posted prominently in at least one location accessible to all members.<sup>11</sup>

In descending order, the ranks of the Bedford Police are as follows:

1. Chief;
2. Lieutenant;
3. Sergeant;
4. Patrol Officer;
5. Probationary Patrol Officer;
6. Non-sworn civilian employees.

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**Succession of Command Protocol** There is a continuity of command in the absence of the Chief due to a sudden event where the Chief is not available, a planned absence, or incapacitation, to insure that leadership is always available.

- In the event of a planned absence in excess of one week, the Chief will designate an acting chief. In the event of an unplanned absence or incapacitation and in the day-to-day operations, the succession of command is as follows The highest ranking officer according to Civil Service<sup>12</sup>
- In situations where personnel of different functions engage in a single operation, the senior officer, by rank or rank and time in service shall be in charge, unless otherwise designated by the Chief or his/her designee<sup>13</sup>
- In exceptional situations such as an Incident Command System event or when someone of lesser rank is in charge due to his/her specialized function, expertise or training; the command protocol from the All Hazards Policy (Chapter 46-7) shall be followed.<sup>14</sup>

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<sup>11</sup> 11.1.2 (See Organization Chart)

<sup>12</sup> 12.1.2 (a) (d)

<sup>13</sup> 12.1.2 (c)

<sup>14</sup> 12.1.2 (b)

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**Span of Control**

The term “span of control” refers to the number of persons reporting to any one supervisor. Assignment of supervisors in the Police Department will be done in a manner that will ensure a manageable span of control whenever possible. In an emergency or unforeseen circumstance, or whenever the needs of the department require it, commanding officers may require sufficient supervisors to work overtime in order to reduce the span of control to a reasonable number until their presence is no longer required.

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**Unity of Command**

Each member of the Department shall be accountable to one supervisor at any given time, according to his/her particular duty assignment at that time. If another supervisory officer needs to assign an officer not directly under his/her supervision, that supervisor shall consult with the officer’s supervisor prior to such assignment whenever possible.<sup>15</sup>

Each division or unit shall be under the direct command of a single supervisor.<sup>16</sup>

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**Accountability**

Supervisors are responsible for directing the efforts of their employees and ensuring that they are performing satisfactorily. Supervisors shall be accountable for the activities of employees under their immediate control.<sup>17</sup>

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<sup>15</sup> 11.2.1

<sup>16</sup> 11.2.2 (also see Organizational Components in this policy)

<sup>17</sup> 11.3.2



## Organizational Components<sup>18</sup>

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### Policy

The Department structure has been divided into the office of the Chief of Police and such other divisions as will from time to time carry out the mission of the department with the available personnel. The Department structure is so divided to accomplish the goals and objectives of the agency, which are:

- To provide both police patrol and investigative services to the community;
  - Planning, development management and control of those administrative functions necessary to support both patrol and investigative operations;
  - Provide internal security, audit, and investigative oversight assistance to appropriate municipal officials, and other components of the Department.
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### Patrol Division

Under the direction of a Lieutenant, this division is responsible for patrol and traffic operations, emergency communications, special operations, school resource officers, college resource officers, crime prevention, safety officer, armorer, accreditation, information technology, administration, assignments, training, traffic supervisors, details, firearms licensing, equipment, facilities and vehicles.

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<sup>18</sup> 11.1.1

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**Patrol Division  
Components**

The Patrol Unit shall consist of uniformed patrol officers assigned to staff the patrol routes of the Department, including officers assigned to bicycle and vehicle patrol. The Division consists of three shifts each day commanded by a Sergeant as well as the School Resource Officers.

The Traffic Unit shall consist of uniformed police officers. The Unit has the primary responsibility for traffic and parking enforcement, and accident reconstruction. This includes (but is not limited to) the direction, control, planning, and analysis of traffic and parking related issues and working with other regulatory agencies. The intent is to insure the safe and efficient movement of vehicles and pedestrians in the community.

Communications Unit shall consist of civilian emergency communications officers. This unit is responsible for sending and receiving radio and telephone communications, dispatching appropriate police, fire, and EMS personnel, and for recording all incidents of crime, police, and fire activities in the appropriate logs. This shall be the state's Public Safety Answering Point (PSAP) for the state E911 system.

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**Criminal  
Investigation  
Division**

The Criminal Investigation Division is responsible for identifying criminal activity, investigating criminal behavior, pursuing and apprehending criminal offenders, and prosecuting offenders.

Under the direction of a Lieutenant, this Division is responsible for evidence and property control, hiring, press relations, background investigations, juvenile issues, court prosecuting, diversion and restorative justice programs, CJIS, sexual offender registry.

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**Criminal  
Investigation  
Division  
Components**

The Detective Division is responsible for identifying criminal activity, investigating criminal behavior, pursuing and apprehending criminal offenders, and prosecuting offenders.

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## Role and Authority Policy Information

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<b>History</b>	<p>March 10, 2015 – replaces existing policy Law Enforcement Role and Authority (Chapter 1-2) issued March 8, 2012.</p> <p>March 8, 2012 – replaces existing policy Law Enforcement Role and Authority (Chapter 1-2) issued July 21, 2010</p> <p>July 21, 2010 – replaces existing policy Law Enforcement Role and Authority (Chapter 1-2) issued December 15, 2009.</p> <p>December 15, 2009 – replaces existing policy Law Enforcement Role and Authority (Chapter 1-3) (<i>mislabeled as 1-3</i>).</p> <p>Replaces existing Role and Authority Policy (ADM-005) issued November 14, 2002. Numbering system change only.</p>
<b>Review Date</b>	<p>This policy is scheduled for review every two years and updated as necessary</p>

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